

ZB# 01-30

Brian Picerno

73-4-13

#01-30- Picerno, Brian

Area

73-4-13.

Picerno,

June 25, 2001.
App. furnished
on 6/14/01

Public Hearing:
July 9, 2001.
Granted

Refund
\$212.00

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Picerno

FILE# 01-30

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

INTERPRETATION: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

paid #1044.
6/27/01.

*

*

*

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

paid #1045
6/27/01.

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 6/25/01-2 \$ 9.00

2ND PRELIMINARY- PER PAGE 7/10/01-2 \$ 9.00

3RD PRELIMINARY- PER PAGE \$

PUBLIC HEARING - PER PAGE \$

PUBLIC HEARING (CONT'D) PER PAGE \$

TOTAL \$ 18.00

ATTORNEY'S FEES: \$35.00 PER MEETING

PRELIM. MEETING: 6/25/01 \$ 35.00

2ND PRELIM. 7/10/01 \$ 35.00

3RD PRELIM. \$

PUBLIC HEARING. \$

PUBLIC HEARING (CONT'D) \$

TOTAL \$ 70.00

MISC. CHARGES:

..... \$

TOTAL \$ 88.00

LESS ESCROW DEPOSIT \$ 300.00

(ADDL. CHARGES DUE) \$

REFUND DUE TO APPLICANT .. \$ 212.00

1044

50-7879/2219

Diane Picerno
 Brian Picerno
 845-569-1112
 329 Nina St
 New Windsor, NY 12553

Date

6/27/01

PAY to the
 ORDER OF

Town of New Windsor

\$ 50.00

Fifty dollars

50/100

DOLLARS



Security Features
 include on back

HUDSON HERITAGE FEDERAL CREDIT UNION 2210
 NEWBURGH, NEW YORK 12550

MEMO

ZBA # 01-30

Diane Picerno

MP

⑆22197879⑆⑆2580179490044⑆⑆044

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Diane Picerno
Brian Picerno
845-569-1112
329 Main St
New Windsor, NY 12553

1045

50-7879/2219

Date 6/27/01

PAY to the
ORDER OF

Town of New Windsor

\$ 300.00

Three hundred — 00/100 —

DOLLARS

HUDSON HERITAGE FEDERAL CREDIT UNION 2219
NEWBURGH, NEW YORK 12550

MEMO

ZBA #01-30

Diane Picerno

⑆22297879⑆⑆2580⑆79490044⑆⑆1045

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**Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611**

**RECEIPT
#614-2001**

06/27/2001

ZBA 01-30

**Picerno, Diane
329 Nina Street
New Windsor, NY 12553**

**Received \$ 50.00 for Zoning Board Fees on 06/27/2001. Thank you for stopping by
the Town Clerk's office.**

As always, it is our pleasure to serve you.

**Deborah Green
Town Clerk**

In the Matter of the Application of

MEMORANDUM OF
DECISION GRANTING
AREA VARIANCE

BRIAN PICERNO

#01-12.

WHEREAS, BRIAN PICERNO, 329 Nina Street, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for a 2 ft. rear yard variance for construction of a deck at the above parcel in an R-4 zone; and

WHEREAS, a public hearing was held on the 23rd day of July, 2001 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Applicant appeared by Brian and Diane Picerno; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, none of the spectators spoke in favor of or in opposition to this Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.
2. The evidence presented by the Applicant showed that:
 - (a) The property is a residential property consisting of a one-family home located in a neighborhood containing one-family homes.
 - (b) Without the deck being constructed, a person exiting the premises would fall and probably sustain injury.
 - (c) The Applicants are not removing any trees or substantial vegetation to construct the deck.

- (d) The proposed deck will not create any water hazards or runoff.
- (e) The proposed deck will not be constructed on top of any water or sewer easements, any well or septic systems.
- (f) The proposed deck is similar to other decks on homes in the area.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant which can produce the benefits sought.
3. The variance requested is substantial in relation to the Town regulations but nevertheless are warranted for the reasons listed above.
4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.
6. The benefit to the Applicant, if the requested variance is granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance is appropriate and is the minimum variance necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 2 ft. rear yard variance to construct a deck at the above location in an R-4 zone as sought by the Applicants in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicants.

Dated: September 24, 2001.

A handwritten signature in black ink, reading "Lawrence W. Torley". The signature is written in a cursive style with a large, stylized 'L' and 'T'.

Chairman

Date AUGUST 8, 2001

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Brian Picerno DR.
329 Nina Street, New Windsor, N.Y. 12552

DATE			CLAIMED	ALLOWED
8/8/01				
		Refund of Escrow Deposit		
		# 81-30	\$212.00	
		Approved:		
		ZBA		
		Deborah A. Corsetti		

Date 8/7/01,

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
7/23/01	Zoning Board Mtg		75.00	
	Misc. - 2			
	Singh/Preet Deli - 4			
	20 th Century Towing - 6			
	Kolpan - 6			
	Lucas - 4			
	TNCo/First Columbia - 3			
	US Health/Quasar - 3			
	Pables - 3			
	Picerno - 2 \$9.00.			
	Bile - Tutor Time - 3			
	36		162.00	
			237.00	

July ⁹~~23~~, 2001

31

PICERNO, BRIAN

MR. TORLEY: Request for 2 ft. rear yard variance for construction of deck at 329 Nina Street in R-4 zone.

Mr. and Mrs. Brian Picerno appeared before the board for this proposal.

MR. TORLEY: Tell us what you want to do.

MRS. PICERNO: We want to put a deck off of the dining room and kitchen area, there's going to be a raised deck and we were short two feet, we needed 40 feet to the end of our property, we only had 38 so we're asking for a variance of two feet.

MR. TORLEY: How wide is the deck?

MRS. PICERNO: 20 wide 12 out.

MR. KANE: The deck is going to be how far off the ground?

MRS. PICERNO: 8 feet.

MR. KANE: There are sliders existing now?

MRS. PICERNO: No.

MR. TORLEY: But you're putting them in?

MRS. PICERNO: Yes.

MR. KANE: And you need the deck as a safety thing?

MRS. PICERNO: Yes.

MR. KRIEGER: Without the deck, somebody would fall 8 feet?

MR. PICERNO: Yes.

MR. KANE: Cutting down any trees to build the deck?

MR. PICERNO: No.

MR. KANE: Not going to create any water hazards or runoffs?

MRS. PICERNO: No.

MR. KANE: The deck that you're building is similar to the size of other decks on homes in the area?

MRS. PICERNO: Yes, other neighbors have similar decks.

MR. REIS: Just for the record, over any water easements or sewer easements?

MRS. PICERNO: No.

MR. KRIEGER: Well or septic system, you're not over easements, either of them?

MRS. PICERNO: No.

MR. TORLEY: Once again, is there anyone in the audience wishing to speak?

MR. PICERNO: There should be 97 people here.

MS. CORSETTI: We sent out 87 notices on June 28th.

MR. TORLEY: Hearing no one in the audience wishing to speak, I'll close the public hearing and move back to the members of the board.

MR. MC DONALD: Make a motion that we grant Mr. and Mrs. Picerno their request for two foot rear yard variance for construction of a deck at 329 Nina Street.

ROLL CALL

MR. RIVERA	AYE
MR. MC DONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK

Prelim.
June 25, 2001
01-30.

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 6/4/01

APPLICANT: Brian Picerno
329 Nina Street
New Windsor, NY 12553

COPY

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

FOR : Proposed 12x20 rear deck

LOCATED AT: 329 Nina Street

ZONE: R-4 Sec/ Blk/ Lot: 73-4-13

DESCRIPTION OF EXISTING SITE: Existing one family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Proposed rear deck will not meet minimum rear yard set-back of 40ft.


BUILDING INSPECTOR

PERMITTED 40ft

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4⁵ USE: 8-G

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

38ft

2ft

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

BUILDING DEPARTMENT

RECEIVED
Jun 01
2001

FOR OFFICE USE ONLY:
Building Permit #: _____

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Brian S. & Diane L. Picerno

Address 329 Nina St New Windsor NY 12553 Phone # 845-569-1112

Mailing Address _____ Fax # _____

Name of Architect _____

Address _____ Phone _____

Name of Contractor owner

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer. _____
(Name and title of corporate officer)

1. On what street is property located? On the _____ side of 329. Nina St
(N, S, E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 073-000 Block 0004 Lot 013-000

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other

6. Is this a corner lot? NO

Deck 12 x 20

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ Fee \$50.00

PAID

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.

B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.

C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and Installed and details of structural, mechanical and plumbing installations.

D. The work covered by this application may not be commenced before the issuance of a Building Permit.

E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.

F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

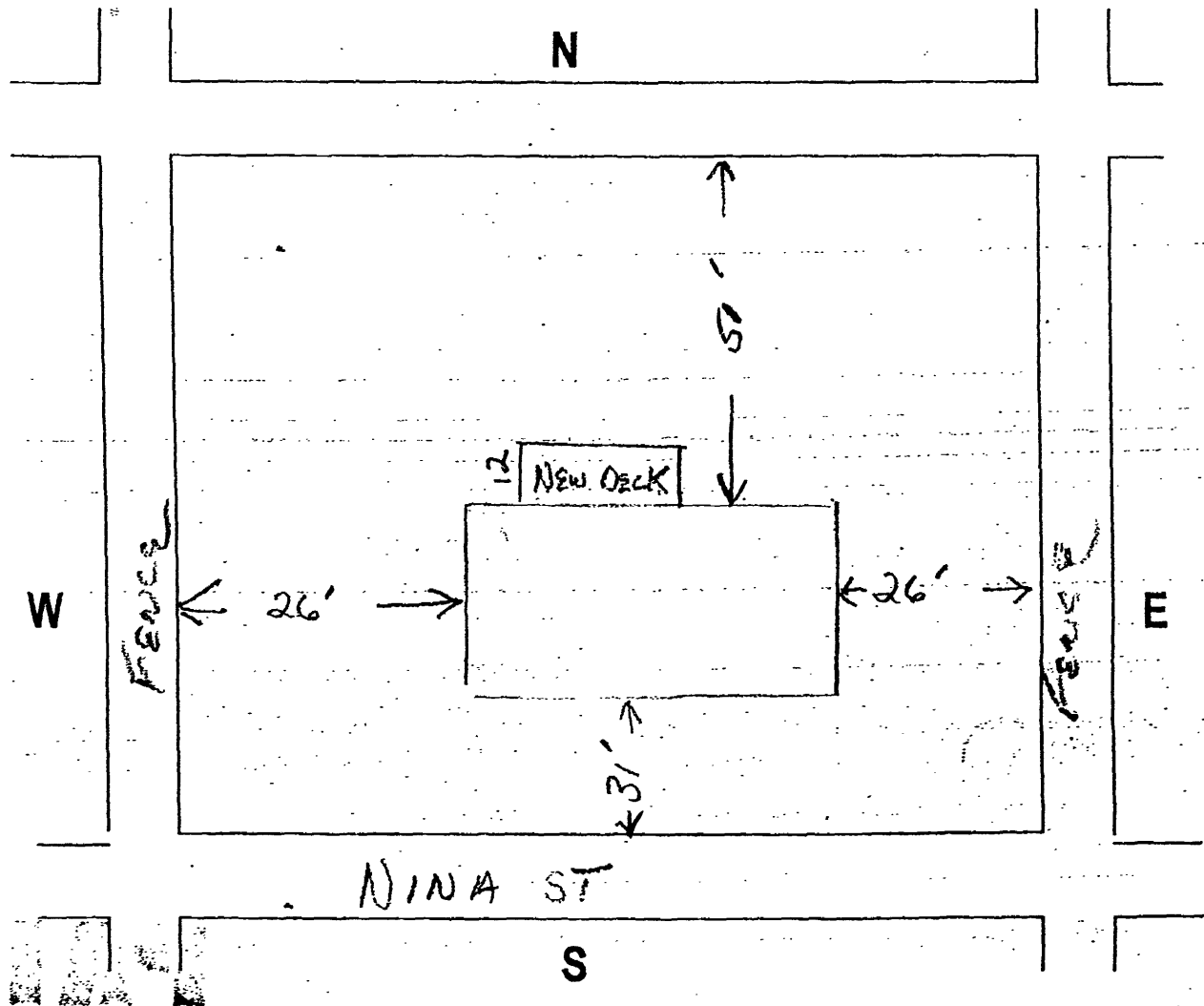
329 Nina St New Windsor
(Address of Applicant)

(Owner's Address)

PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

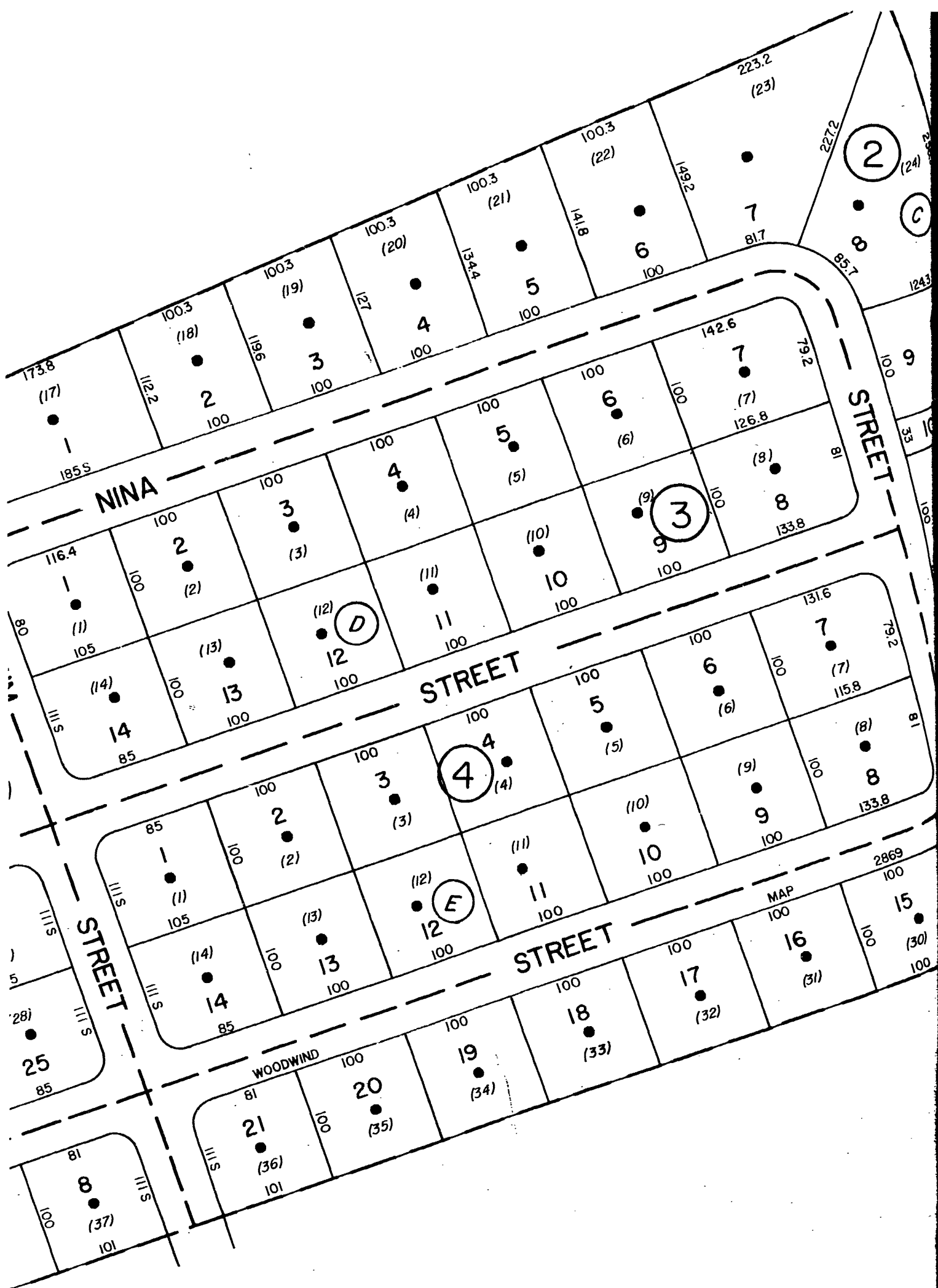


Tracy-895-3632

~~ESTS 000~~
~~NP-42-000~~

SECTION

4



Date 7/7/01

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth DR.
168 N. Drury Lane
Newburgh, N.Y. 12550

DATE			CLAIMED	ALLOWED
7/25/01	Zoning Board Mtg		75 00	
	Misc - 4			
	Steiner - 1	Micecki - 6		
	Maldonado - 2	Lorgan - 2		
	Mucci - 2			
	Bila - 3			
	Picerno - 2	10.00 \$9.00		
	Marshall - 7			
	Hofving - 3			
	Lawrence/Lorenzen - 11			
	DeFazio - 2			
	Thomas - 2		220 50	
	Morris - 2		295 50	
	49			

PICERNO, BRIAN

Mr. and Mrs. Brian Picerno appeared before the board for this proposal.

MR. TORLEY: Request for 2 ft. rear yard variance for proposed deck at 329 Nina Street in an R-4 zone. Is there an existing deck there now?

MR. PICERNO: No.

MR. TORLEY: So the house, how big is the deck you want to put up?

MRS. PICERNO: 12 x 20.

MR. KANE: It's 12 out so it's not substantial coming out just 12 feet?

MR. PICERNO: Yes.

MR. TORLEY: Other houses have similar kinds of decks?

MR. PICERNO: Yes.

MR. MC DONALD: Over any easement, sewer or water?

MR. PICERNO: No.

MR. KANE: Won't be cutting down any trees, creating any water?

MR. PICERNO: No trees back there.

MR. TORLEY: These are the kinds of things we'll be repeating these questions at the public hearing just so you know. Gentlemen, any other questions?

MR. MC DONALD: Make a motion we set up Mr. Picerno for a public hearing.

MR. RIVERA: Second it.

ROLL CALL

June 25, 2001

11

MR. RIVERA	AYE
MR. MCDONALD	AYE
MR. REIS	AYE
MR. KANE	AYE
MR. TORLEY	AYE

-----X

**AFFIDAVIT OF
SERVICE
BY MAIL**

Diana Picerno

#01-30.

_____X

PATRICIA A. CORSETTI, being duly sworn, deposes and says:

That on the 28th day of June, 2001, I compared the 89 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

Patricia G. Corsette

Notary Public

Sworn to before me this

____ day of _____, 20____.

Notary Public



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

June 21, 2001

Diane Picerno
329 Nina Street
New Windsor, NY 12553

87

Re: 73-4-13

Dear Ms. Picerno,

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$105.00, minus your deposit of \$25.00.

Please remit the balance of \$80.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/bw

CC: Pat Corsetti, ZBA

1

4-1-31.2
Otto Scheible
532 MacNary Lane
New Windsor, NY 12553

73-2-3
Margaret & Thomas Organ
360 Nina Street
New Windsor, NY 12553

73-2-21
Stephanie & Allen Mittelman
326 Nina Street
New Windsor, NY 12553

73-1-10
Richard Horak
504 MacNary Road
New Windsor, NY 12553

73-2-4
Carol Probst
358 Nina Street
New Windsor, NY 12553

73-3-1
Henry Cruz
357 Nina Street
New Windsor, NY 12553

73-1-11
Frances Fox & Henry Pizzonia
502 MacNary Road
New Windsor, NY 12553

73-2-5
Kathleen & Thomas Griffin
356 Nina Street
New Windsor, NY 12553

73-3-2
Phyllis & Myron Bernstein
746 Hewitt Lane
New Windsor, NY 12553

73-1-12
Tammy & Michael O'Hara
421 Philo Street
New Windsor, NY 12553

73-2-14
Cynthia & Melvyn Wright
340 Nina Street
New Windsor, NY 12553

73-3-3
Sarah & Darryl Dreyer
353 Nina Street
New Windsor, NY 12553

73-1-13
Melissa & Dominick Pileggi
423 Philo Street
New Windsor, NY 12553

73-2-15
William Kostenblatt
338 Nina Street
New Windsor, NY 12553

73-3-4
Sandra & Michael Muller
351 Nina Street
New Windsor, NY 12553

73-1-14
Mary Ann & Patrick McCarthy
425 Philo Street
New Windsor, NY 12553

73-2-16
Brendan DeMilt
336 Nina Street
New Windsor, NY 12553

73-3-5
Marilene & Richard Baskind
349 Nina Street
New Windsor, NY 12553

73-1-15
Trude & Michael Antonacci
609 Sim Street
New Windsor, NY 12553

73-2-17
Marilyn Mutinelli
334 Nina Street
New Windsor, NY 12553

73-3-6
Annette & Fred Kaiser
347 Nina Street
New Windsor, NY 12553

73-1-16
Michael Restuccia
30 Sloan Court
Wallkill, NY 12589

73-2-18
Vicki & Elliott Cohen
332 Nina Street
New Windsor, NY 12553

73-3-7
Lisa Izzo & Patrick Murtagh
345 Nina Street
New Windsor, NY 12553

73-2-1
Evelyn & Keith Aigner
364 Nina Street
New Windsor, NY 12553

73-2-19
Geraldine & Francis Nicolosi
330 Nina Street
New Windsor, NY 12553

73-3-8
Irene & Peter Malaszuk
343 Nina Street
New Windsor, NY 12553

73-2-2
Angelina & Jan Rostek
362 Nina Street
New Windsor, NY 12553

73-2-20
Joanne & Thomas Farrell
328 Nina Street
New Windsor, NY 12553

73-3-9
Patricia & Joseph Grimm
437 Philo Street
New Windsor, NY 12553

①

4-1-31.2
Otto Scheible
532 Macnary Lane
New Windsor, NY 12553

73-2-3
Margaret & Thomas Organ
360 Nina Street
New Windsor, NY 12553

73-2-21
Stephanie & Allen Mittelman
326 Nina Street
New Windsor, NY 12553

73-1-10
Richard Horak
504 MaCnary Road
New Windsor, NY 12553

73-2-4
Carol Probst
358 Nina Street
New Windsor, NY 12553

73-3-1
Henry Cruz
357 Nina Street
New Windsor, NY 12553

73-1-11
Frances Fox & Henry Pizzonia
502 MaCnary Road
New Windsor, NY 12553

73-2-5
Kathleen & Thomas Griffin
356 Nina Street
New Windsor, NY 12553

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746 Hewitt Lane
New Windsor, NY 12553

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421 Philo Street
New Windsor, NY 12553

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Cynthia & Melvyn Wright
340 Nina Street
New Windsor, NY 12553

73-3-3
Sarah & Darryl Dreyer
353 Nina Street
New Windsor, NY 12553

73-1-13
Melissa & Dominick Pileggi
423 Philo Street
New Windsor, NY 12553

73-2-15
William Kostenblatt
338 Nina Street
New Windsor, NY 12553

73-3-4
Sandra & Michael Muller
351 Nina Street
New Windsor, NY 12553

73-1-14
Mary Ann & Patrick McCarthy
425 Philo Street
New Windsor, NY 12553

73-2-16
Brendan DeMilt
336 Nina Street
New Windsor, NY 12553

73-3-5
Marilene & Richard Baskind
349 Nina Street
New Windsor, NY 12553

73-1-15
Trude & Michael Antonacci
609 Sim Street
New Windsor, NY 12553

73-2-17
Marilyn Mutinelli
334 Nina Street
New Windsor, NY 12553

73-3-6
Annette & Fred Kaiser
347 Nian Street
New Windsor, NY 12553

Charged

73-1-16
Michael Restuccia
30 Sloan Court
Wallkill, NY 12589

73-2-18
Vicki & Elliott Cohen
332 Nina Street
New Windsor, NY 12553

73-3-7
Lisa Izzo & Patrick Murtagh
345 Nina Street
New Windsor, NY 12553

73-2-1
Evelyn & Keith Aigner
364 Nina Street
New Windsor, NY 12553

73-2-19
Geraldine & Francis Nicolosi
330 Nina Street
New Windsor, NY 12553

73-3-8
Irene & Peter Malaszuk
343 Nina Street
New Windsor, NY 12553

73-2-2
Angelina & Jan Rostek
362 Nina Street
New Windsor, NY 12553

73-2-20
Joanne & Thomas Farrell
328 Nina Street
New Windsor, NY 12553

73-3-9
Patricia & Joseph Grimm
437 Philo Street
New Windsor, NY 12553

(2)

73-3-10
Maureen & Alfred Cestari
435 Philo Street
New Windsor, NY 12553

X

73-4-6
Thomas Trinajstic
454 Philo Street
New Windsor, NY 12553

X

73-5-7
Marilyn & John Kresevic
322 Nina Street
New Windsor, NY 12553

X

73-3-11
Elizabeth & Joseph Como
433 Philo Street
New Windsor, NY 12553

X

73-4-7
Laura & Richard Graziano
456 Philo Street
New Windsor, NY 12553

X

73-5-8
Steven Weissman
P.O. Box 4135
New Windsor, NY 12553

X

73-3-12
Bankers Trust Co. of CA
C/o Countrywide Home Loans SV-24
1800 Tapo Canyon Blvd
Simi Valley, CA 93063

X

73-4-8
Diana & Donald McKeon
339 Nina Street
New Windsor, NY 12553

X

73-7-21
Terri & George Jessen
436 Philo Street
New Windsor, NY 12553

X

73-3-13
Mary & John Guarracino
429 Philo Street
New Windsor, NY 12553

X

73-4-9
Ursula Roberts
337 Nina Street
New Windsor, NY 12553

X

73-7-22
Rose & Richard Linet
438 Philo Street
New Windsor, NY 12553

X

73-3-14
Jeanne & Kenneth Martin
427 Philo Street
New Windsor, NY 12553

X

73-4-10
Samuel Martinez Jr.
335 Nina Street
New Windsor, NY 12553

X

73-7-24
Deborah & Frank Prego
442 Philo Street
New Windsor, NY 12553

X

73-4-1
Rosemary & Bob Hersh
444 Philo Street
New Windsor, NY 12553

X

73-4-11
Hyon Lemons & Joseph Hafner
333 Nina Street
New Windsor, NY 12553

X

73-7-25
Steven Dixon
325 Nina Street
New Windsor, NY 12553

X

73-4-2
Kathleen & Thomas Finneran
446 Philo Street
New Windsor, NY 12553

X

73-4-12
Anneke- Jans Bogardus & Richard
Breakiron
331 Nina Street
New Windsor, NY 12553

X

73-7-26
Mary & Robert Volz
323 Nina Street
New Windsor, NY 12553

X

73-4-3
William Corcoran
448 Philo Street
New Windsor, NY 12553

X

73-4-14
Catherine & John Canale
327 Nina Street
New Windsor, NY 12553

X

73-7-27
Alexandra Ostritskaya & Mikhail Ostritsky
321 Nina Street
New Windsor, NY 12553

X

73-4-4
Elke & Christopher Spencer
450 Philo Street
New Windsor, NY 12553

X

73-5-5
Susan & Harold Boro
318 Nina Street
New Windsor, NY 12553

X

73-7-28
Harriet Chittick
319 Nina Street
New Windsor, NY 12553

X

73-4-5
Leslie & Kevin Hofving
425 Philo Street
New Windsor, NY 12553

X

73-5-6
Pamela & Robert Ramos
320 Nina Street
New Windsor, NY 12553

X

75-3-10
Maureen & Ronald Avallone
73 Keats Drive
New Windsor, NY 12553

X

75-3-11
Catherine & Robert Kaoprak
75 Keats Drive
New Windsor, NY 12553

75-3-12
Diane & Robert Mounier
77 Keats Drive
New Windsor, NY 12553

75-3-13
Antoinette & Robert Faig
79 Keats Drive
New Windsor, NY 12553

75-7-1
Helene & James Lennon
375 Byron Lane
New Windsor, NY 12553

75-7-15
Celeste & Joseph Cacciola
352 Shelly Rd
New Windsor, NY 12553

75-7-16
Inez Montilla
354 Shelly Road
New Windsor, NY 12553

75-9-1
Maria & Joseph Ritosa
323 Burroughs Lane
New Windsor, NY 12553

75-9-2
Teresa & Joseph Scalia
321 Burroughs Lane
New Windsor, NY 12553

75-9-3
Dominic Desmond
319 Burroughs Lane
New Windsor, NY 12553

75-9-4
Crystal & Hugh Glenn
317 Burroughs Lane
New Windsor, NY 12553

75-9-5
Joan Ruffino
315 Burroughs Lane
New Windsor, NY 12553

75-9-9
Theresa & Maurice Swansson
76 Keats Drive
New Windsor, NY 12553

75-9-10
Melissa & Brian Henneberry
78 Keats Drive
New Windsor, NY 12553

75-9-11
Michelle Vina-Baltsas & George Baltsas
80 Keats Drive
New Windsor, NY 12553

75-9-12
Angela & Joseph Bell
82 Keats Drive
New Windsor, NY 12553

75-9-13
Colleen & John McManamon
84 Keats Drive
New Windsor, NY 12553

75-9-14
Jane & Michael Lauria
86 Keats Drive
New Windsor, NY 12553

75-9-15
Beverley & Anthony Marchesani
88 Keats Drive
New Windsor, NY 12553

75-10-2
Marion Knox & Warren Schaefer
95 Keats Drive
New Windsor, NY 12553

75-10-3
Etal & Victor D'Esposito
93 Keats Drive
New Windsor, NY 12553

75-10-4
Rena & Ben Eng
91 Keats Drive
New Windsor, NY 12553

75-10-5
Debra Ann & David Patterson
89 Keats Drive
New Windsor, NY 12553

75-10-6
Margarita & Konstantinos Ioannidis
87 Keats Drive
New Windsor, NY 12553

75-10-7
Migdalia & David Ramos
85 Keats Drive
New Windsor, NY 12553

75-10-8
Sandra & Leo Talbot
83 Keats Drive
New Windsor, NY 12553

75-10-9
Kathleen Healy & Michael Sulla
380 Frost Lane
New Windsor, NY 12553

73-7-23
Mary & Irwin Toback
440 Philo Street
New Windsor, NY 12553

Pls. publish immediately - send bill to owner at below address:

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 30

Request of Brian Picerno

for a VARIANCE of the Zoning Local Law to Permit:

Construction of deck w/ insufficient rear
yard;

being a VARIANCE of Section 48-12 - Table of Use/Bulk Regs. - Col. G

for property situated as follows:

329 Nina Street, New Windsor, N.Y.

known and designated as tax map Section 73, Blk. 4 Lot 13

PUBLIC HEARING will take place on the 9th day of July, 2001, at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 o'clock P.M.

Lawrence Torley
Chairman

By: Patricia Corsetti, Sec'y

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

01-30

Date: 6/27/01

I. ✓ Applicant Information:

- (a) Diane Picerno 329 Nina St New Windsor 569-1112
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- () Use Variance () Sign Variance
- (X) Area Variance () Interpretation

III. ✓ Property Information:

- (a) R-4 329 Nina St 73-4-13 100 x 100 ±
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? None
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? 12/00
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? No
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: No

IV. Use Variance.

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow: _____
(Describe proposal) _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes ___ No ___.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓ V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. G.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.		
Reqd. Rear Yd. <u>40ft</u>	<u>38ft</u>	<u>2ft</u>
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		
Parking Area		

* Residential Districts only

** No-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance:

No

(You may attach additional paperwork if more space is needed)

VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section _____, _____ Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation.

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

(See Photos)

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- ☐ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ *N/A* Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$50.00 and the second check in the amount of \$300.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: 6/27/01.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

X Duane Picerno
(Applicant)

Sworn to before me this

27th day of June, 2001.
Patricia A. Corsetti

XI. ZBA Action:

PATRICIA A. CORSETTI
Notary Public, State of New York
No. 01BA490441-4
Qualified in Orange County
Commission Expires August 31, 2001

(a) Public Hearing date: _____.